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Attorneys for Defendants Builteman, Richey, and Scribner

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

| | |
|---|---|
| **VENSON LANE MYERS,**<br><br>Plaintiff,<br><br>**v.**<br><br>**L.E. SCRIBNER, et al.,**<br><br>Defendants. | 08CV0117 W (WMc)<br><br>**DECLARATION OF SUZANNE ANTLEY IN SUPPORT OF EX PARTE APPLICATION FOR STAY OF DISCOVERY**<br><br>Judge: Hon. William McCurine, Jr. |

I, Suzanne Antley, declare the following:

1. I am employed as a Deputy Attorney General for the Office of the California Attorney General. I am the Deputy Attorney General assigned as Defendants' counsel in this action, and I am an attorney duly licensed to practice before this Court.

2. This Declaration is made in support of Defendants' Ex Parte Application for Stay of Discovery. The facts contained in this Declaration are based upon my personal knowledge, and if called to testify, I could competently testify thereto.

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3. Plaintiff Venson Lane Myers is an inmate currently incarcerated at Calipatria State Prison in Calipatria, California. In this lawsuit, he alleges that Defendants violated his religious rights under various sources of law. He seeks both damages and injunctive relief.

4. Defendants' responsive pleading is due on August 22, 2008. Defendants anticipate that they will file a Motion to Dismiss Plaintiff's Complaint, in which they anticipate raising numerous grounds for dismissal.

5. On August 12, 2008, I received Plaintiff's "Notice of Motion for discovery, Production of documents."

6. Defendants have no reason to believe that Plaintiff will be prejudiced by an order staying discovery until after the Court has ruled on Defendants' anticipated Motion to Dismiss.

7. On August 13, 2008, I caused a copy of Defendants' Ex Parte Application and this Declaration to be faxed to the Litigation Coordinator at Calipatria State Prison in Calipatria, California for personal service of these documents on Plaintiff. I anticipate that Plaintiff will be personally served with these documents by August 15, 2008.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 13th day of August, 2008, in San Diego, California.

/S/ Suzanne Antley
SUZANNE ANTLEY
Deputy Attorney General
Attorneys for Defendants

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SD2008700631

# DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Myers, Venson Lane v. Scribner, et al.**

Case No.: **08CV0117 W (WMc)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 13, 2008, I served the attached **DEFENDANT OF SUZANNE ANTLEY IN SUPPORT OF EX PARTE APPLICATION FOR STAY OF DISCOVERY** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Venson Lane Myers
CDC No. C-29600
Calipatria State Prison
P. O. Box 5005
7018 Blair Road
Calipatria, CA 92233-5005
In Pro Per

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 13, 2008, at San Diego, California.

J. Yost — Declarant

J. Yost (signed) — Signature

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